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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ying ZHENG et al.

Confirmation No. 8131

Application No. 10/661,432

Group Art Unit: 1761

Filing Date: September 11, 2003

Examiner: L. Wong

For: AROMA-CONTAINING COMPONENTS

Attorney Docket No.: 88265-7248

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 - 1450

Sir:

Petitioner, Allan A. Fanucci, represents that he is the attorney of record for the present application.

Petitioner states that he has reviewed the assignment documents that were each recorded on September 11, 2003 at Reel 014501 Frame 0788, Reel 014498 Frame 0238, and Reel 014502 Frame 0069 and confirms that Nestec SA is the owner of both the above-identified application and US patent applications 10/661,388 and 10/661,397.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the term of any patent issuing from either of US patent applications 10/661,388 and 10/661,397, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that any patent granted on the present application and any patent that issues from either of US patent applications 10/661,388 and 10/661,397 are commonly owned

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantees, their successors, and their assigns.